

**REMARKS:**

Claims 1-16 and 21-24 are currently pending in the present application.

Claims 1-16 and 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,135,486 to G.S. Wing ("*Wing*") in view of U.S. Patent No. 4,976,396 to Carlson et al. ("*Carlson*").

Claim 1 is hereby amended to more particularly point out and distinctly claim the invention.

The Applicants submit that the foregoing amendment adds no new matter to the application.

**REJECTIONS UNDER 35 U.S.C. § 103(a):**

Claims 1-16 and 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wing* in view of *Carlson*. These rejections are respectfully traversed as discussed below.

Claim 1 is an independent claim, and Claims 2-16 and 21-24 depend from Claim 1, and intervening claims. Accordingly, the following remarks made in connection with Claim 1 apply equally to Claims 2-16 and 21-24.

*Wing* discloses a wing skin in which the leading edge portion is integral to the primary wing skin. In the case of *Wing*, the leading edge portion of the skin is simply the portion of the wing skin that is first to engage the airstream during forward flight. The airfoil skin attaches to leading edge formers as well as trailing edge formers, indicating that the skin covers more than just the leading edge portion (*Wing*, Col. 2, lines 1-4, Fig. 6 and Fig. 7). If a foreign object, such as a bird, were to strike the leading edge portion of the wing skin in *Wing*, the damage would likely require extensive repairs and/or replacement of the entire wing skin, or the entire wing itself. This is largely due to the fact that the wing skin is a single structure that covers the entire wing, and that the wing skin in a continuous single part without any means for attenuating energy from an impact from

an object during flight. As acknowledged by the Examiner, *Wing* fails to teach a first airfoil member. The Examiner relies upon *Carlson* to teach a first airfoil member.

*Carlson* discloses an aircraft with a horizontal stabilizer (20) with moveable airfoil portions for contributing to pitch control of the aircraft. The Examiner relies upon *Carlson* to teach a first airfoil member of an airfoil. The Examiner indicates that it would be obvious to one of ordinary skill in the art at the time of the invention to attach horizontal stabilizers to the aft end of the leading edge member of *Wing* such that the aircraft of *Wing* is provided with control means to maneuver the aircraft. The Applicants respectfully disagree.

Claim 1 is hereby amended to more particularly point out and distinctly claim the invention. As hereby amended, Claim 1 includes the limitation of wherein the second airfoil member is fixed in relation to the first airfoil member. In contrast, the horizontal stabilizer of *Carlson* discloses a moveable airfoil portion as a control means to maneuver the aircraft. Claim 1 is directed to a leading edge member, of which the exterior surface forms a second airfoil member. Claim 1, as currently amended, requires that the first airfoil member be fixed in relation to the second airfoil member. This is completely different from *Carlson* which teaches an airfoil having a forward member and an aft member, the aft member being a moveable control surface.

The Applicants submit that *Wing* fails to disclose, teach, suggest, or mention all of the features and limitations of Claim 1, or Claims 2-16 and 21-24 which depend from Claim 1, and intervening claims. *Carlson* fails to cure this deficiency of *Wing*. *Carlson*, like *Wing*, at least fails to disclose, teach, suggest, or mention the Claim 1 limitation of wherein the second airfoil member is fixed in relation to the first airfoil member, and therefore, also fails to disclose, teach, suggest, or mention the more specific limitations recited in Claims 2-16 and 21-24. Thus, *Wing* and *Carlson*, whether considered separately or in combination, as proposed by the Examiner, fail to disclose, teach, suggest, or mention all of the limitations of Claims 1-16 and 21-24. Thus, for at least these reasons, the Applicants submit that Claims 1-16 and 21-24 are not rendered obvious by *Wing*, *Carlson*, or any combination thereof.

As such, the Applicants submit that the Examiner's rejections of Claims 1-16 and 21-24 under 35 U.S.C. § 103(a) are traversed and that Claims 1-16 and 21-24 are now in condition for allowance. Therefore, it is respectfully requested that the rejections of Claims 1-16 and 21-24 under 35 U.S.C. § 103(a) be reconsidered and withdrawn, and that Claims 1-16 and 21-24 be allowed.

**CONCLUSION:**

The Applicants submit that the foregoing amendments and remarks *prima facie* place the subject application in condition for allowance. As such, the Applicants respectfully request reconsideration and a Notice of Allowance.

This Amendment After Final is being filed via the U.S. Patent and Trademark Office's EFS-Web electronic filing system. No fees are deemed to be necessary; however, the undersigned hereby authorizes the Commissioner to charge any additional fees which may be required, or credit any overpayments, to **Deposit Account No. 502806**.

Respectfully submitted,

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